

REMARKS

Claims 1, 5-9, 12, 13, and 16-18 are present in this application. Claims 1, 6, 8, and 9 are independent claims.

Allowable Subject Matter

Applicant thanks the Examiner for indicating that claims 6, 7, 8, 13, and 16-18 are allowed.

Statement of Interview Pursuant to MPEP Section 713.04

The Examiner is thanked for conducting the interview on September 18, 2009. Applicant acknowledges the proposed amendments that were discussed for claim 1 to address the section 112 rejection, as well as to address the rejection based on prior art. Applicant notes that the proposed amendments for claim 1 pertain to claim 9, as well.

§ 112, second paragraph, Rejection

Claims 1 and 5 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite.

During the interview, the Examiner suggested an amendment to replace “for mounting” with “supports.” Accordingly, claim 1 is amended as suggested by the Examiner. Applicant requests that the rejection be reconsidered and withdrawn.

§ 103(a) Rejections – Cristy

Claim 1 has been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 3,695,424 (Cristy).

Claim 5 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Cristy in view of JP 2003-236953 (Nakajima).

During the interview, the Examiner suggested that claim 1 be amended to explicitly recite that the display substrate contacts the bottom section. Accordingly, claim 1 is amended to recite “wherein the display substrate contacts the bottom section.”

In Cristy, the glass plate 12 does not contact a bottom surface (e.g., see for example, Fig. 4 of Cristy, showing planar panel portion 13 and the glass plate 12). Instead, Cristy seeks minimal contact between the glass panel and the tray.

In particular, Cristy discloses that the tray is intended to hold plates with only minimal contact, isolate the plate edges from the planar surfaces, isolate each plate from adjacent plates, shield plates from light rays (“Summary of the Invention”). Nested trays cooperate to hold the plate with minimal contact of the planar plate surfaces and form spacially continuous seals around the peripheries of the plate surfaces (col. 3, ll. 45-49). Adjacent plates are separated by the tray so that accidental damage to one plate will not result in the spreading of contaminants to adjacent plates (col. 5, ll. 6-15).

Thus, Applicant submits that Cristy fails to teach at least one element recited in claim 1 as amended. Applicant notes that the amendment to claim 1 applies to dependent claim 5, as well.

Applicant requests that the rejections be reconsidered and withdrawn based on claim 1 as amended.

§ 103(a) Rejections – Cristy, Wu

Claim 9 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Cristy in view of U.S. Patent 6,116,427 (Wu).

Claim 12 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Cristy in view of Wu and Nakajima.

Claim 9 is amended in a similar fashion as mentioned in the above for claim 1. For at least the reasons above for claim 1, Applicant submits that claim 9 is patentable over Cristy.

In addition, claim 9 also recites a feature of the bottom section having a plurality of openings. The Examiner alleges that although Cristy does not disclose a bottom surface having a plurality of openings, it would have been obvious to include openings as taught in Wu.

Applicant submits that Cristy specifically teaches away from openings in a bottom section, such as openings taught in Wu. In particular, Applicant submits that adding openings to the bottom section of Cristy's package would render the package unsuitable for its intended purposes of shielding plates from light rays (Cristy at "Summary of the Invention") and isolation between adjacent plates (Cristy at col. 5, ll. 6-15) to prevent leakage of contaminants to adjacent plates. (see case law examples in MPEP section 2143.01). Thus, Applicant submits that there would be no motivation to combine Cristy with Wu's alleged teachings of adding openings to a bottom section.

For at least these additional reasons, Applicant submits that the rejection fails to establish *prima facie* obviousness. Applicant requests that the rejection be reconsidered and withdrawn.

CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact **Robert W. Downs** Reg. No. 48,222 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Application No. 10/630,731
Amendment dated September 24, 2009
Reply to Office Action of June 24, 2009

Docket No.: 0717-0513P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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